

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**BILLIE KITCHESAN,**

**Defendant.**

**8:13CR430**

## ORDER

This matter is before the court on the defendant's unopposed motion to continue trial [20] as defendant has signed a diversion agreement. The court will continue the defendant's trial for approximately six months. Upon successful completion of pretrial diversion, counsel shall notify the court and the trial will be cancelled.

**IT IS ORDERED** that the motion to continue trial is granted, as follows:

1. The jury trial now set for July 8, 2014 continued to **December 9, 2014.**

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and July 8, 2014**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED June 30, 2014.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**